

**Amendment #3**  
**RFP#082514 – Frankfort Office Building**  
**Built-to-Suit**

1. Attached please find a revised, sample, lease agreement (for construction of Project on state-owned land) and a revised, sample, lease agreement (for construction of Project on private-owned land). Please substitute the attached for Exhibit “J” of the RFP.
2. Unanswered question in Amendment #2: 44. Can you verify if the rent is paid quarterly (page 12; section A, and page 21; section D) or monthly in arrears (page 20 section C)? Also see Q#55 and #76.
  - The Commonwealth shall pay the successful Offeror/Lessor rent on a quarterly basis, rather than monthly.
3. For a copy of the geotechnical study, dated July 25, 2014, and completed by S&ME, please see:

<http://finance.ky.gov/services/statebuilding/Pages/PropertiesforSaleorLease.aspx>

Please include this report with the RFP, as Exhibit “O”.

4. For clarification purposes, please see the following:

“H. Proposal Guaranty

1. Offeror’s Phase I proposal must be accompanied by a certified or cashier’s check, made payable to the “Kentucky State Treasurer”, in the amount of Five Thousand Dollars (\$5,000.00). Upon award of this Project, the certified or cashier’s check of the unsuccessful Offerors will be returned immediately. The certified or cashier’s check of the successful Offeror will be returned upon receipt of the performance and payment bonds enumerated herein.
2. In the event an Offeror’s proposal is accepted and the Offeror fails to execute the contract documents, including the deed and the lease, within ten (10) calendar days after its receipt by the successful Offeror, the Commonwealth may, at its option, determine that the Offeror has abandoned the project and the amount of the bid security shall be forfeited to the Commonwealth as liquidated damages, and not as a penalty.”

This Amendment #3 corrects the discrepancies between the proposal guaranty language contained in the RFP and Amendment #2. The \$5,000.00 proposal guaranty MUST be received with all Offeror's PHASE I proposals. As such, the following RFP-version checklists for Phases I and II are correct:

**PHASE I:**

- ☐ 'Commonwealth of Kentucky Solicitation' for Phase I, filled out and signed
- ☐ Transmittal Letter Tab A
- ☐ Narrative of Design Intent
- ☐ Corporate Background and Experience – minimum of 2 similar sized office buildings w/l last 10 years (both design and construction)  
*(Am#2: Offeror's experience must include structures of at a minimum of 80% size of the Project structure. Each member of the team must have completed two similar size structures, whether the same two (as a team) or not. Each team member must have experience with the Project building size.)*
- ☐ Financial
- ☐ Technical Proposal Tab B - Project Approach and Required Drawings and Documents
- ☐ Financial Data and Benefits to KY (page 36 of RFP)
- ☐ Amortization Schedule
- ☐ Ownership Disclosure Form, Exhibit G
- ☐ Affidavit, RFP pp 40 – 41
- ☐ Violations pursuant to KRS 45A.485, RFP page 42
- ☐ Sworn Statement regarding Campaign Finances, RFP page 43
- ☐ MBE Participation Form, Exhibit M
- ☐ Proof of Bonding
- ☐ If Offeror chooses to submit proposal offering its own property, required information on page 6 must be included in submittal, as well as Tab B information for laboratory building.

**[ ] \$5,000 Proposal Guaranty**

## **PHASE II: Short-listed Offerors**

[ ] 'Commonwealth of Kentucky Solicitation' form for Phase II, filled out and signed

[ ] Transmittal Letter

[ ] Listing of any changes to Team Composition; or statement that there are no changes to Team submitted in Phase I

[ ] Aesthetic Design Presentation Graphics

[ ] Project Approach to Design/Construction

[ ] Project Construction schedule

Oral Presentations will be scheduled with the three (3) short-listed Offerors

5. The following section in the RFP, under "II. SCORING AND PROJECT AWARD", is hereby corrected:

"\* The Offeror, whose proposal offers the lowest net present value, will be awarded 150 200 points. This score will be calculated by the Commonwealth Buyer. The offeror with the next lowest net present value will be awarded points as in the example below:

(Example only):

Lowest NPV: \$90 = 150 200 points

Next Lowest NPV: \$100 =  $\$90/\$100 \times 200$  points = 180 points (rounded)

Next Lowest NPV: \$110 =  $\$90/\$110 \times 200$  points = 164 points (rounded)

This score will not be considered/reviewed by the evaluation committee in Phase I; however, this score shall be **considered/reviewed by the evaluation committee in Phase II evaluations.**"

6. The proposal receipt date for receipt for Phase I proposals is hereby extended by two weeks, from August 25, 2014 @ 4:00 p.m. to Tuesday, September 9, 2014.

**ALL PHASE I PROPOSALS ARE NOW DUE IN THE DIVISION OF REAL PROPERTIES PRIOR TO 4:00 P.M., SEPTEMBER 9, 2014.**

## THE FOLLOWING IS AN UPDATED SCHEDULE:

On or about June 16 recommended schedule	Advertise Request for Proposals (RFP), with
On or about June 27	Cut-off for acceptance of responses to notice of project (NOTE: responses for requests for copies of RFP must be submitted on one-page Commonwealth of Kentucky Solicitation form, which may be obtained by email to <a href="mailto:Nancy.Brownlee@ky.gov">Nancy.Brownlee@ky.gov</a> )
On or about July 7	Pre-proposal conference with all interested parties – review lease and construction issues
On or about July 14	All inquiries submitted by Offerors to Buyer
On or about July 21	Official answers to all inquiries issued by Addendum to RFP
On or about <del>August 25</del> <b>September 9</b>	Receive proposals (Phase I)
On or about <del>Sept. 2</del> <b>September 16</b>	Selection committee meets to select short list of Offerors
On or about <del>Sept. 3</del> <b>September 17</b>	Shortlisted firms notified
On or about <del>Sept. 9</del> <b>September 24</b>	Receipt date for questions from selected short listed Offerors
On or about <del>Sept. 10</del> <b>September 25</b>	Official answers to short-listed Offerors' inquiries
On or about <del>Sept. 16</del> <b>September 29</b>	Receipt date for Phase II submittals.
On or about <del>Sept. 17</del> <b>October 2</b>	Selection committee receives oral presentations Phase II
On or about <del>Sept. 17</del> <b>October 2</b>	Select winner
On or about <del>Sept. 17</del> <b>October 2</b>	Award contract, convey property, enter into lease

End of Amendment #3 – RFP#082514